

E-FILED - 12/23/09

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

**[] ORDER RE
DISMISSAL OF ACTIONS
WITHOUT PREJUDICE**

* * ORDER * *

IT IS HEREBY ORDERED THAT *In re Apple iPod nano Products Liability Litigation*, United States District Court for the Northern District of California, Case No. M-06-1754-RMW, MDL No. 1754, is dismissed without prejudice, including without limitation the following actions:

- *Moschella, et al. v. Apple Computer, Inc.*, Case No. C-05-04372-RMW (United States District Court for the Northern District of California, San Jose Division, complaint filed October 26, 2005);
- *Kahan, et al., v. Apple Computer, Inc.*, Case No. 05-CV-9251-JES (United States District Court for the Southern District of New York, complaint filed October 31, 2005); and
- *Jennings, et al, v. Apple Computer, Inc.*, Case No. C-05-04520-RMW (United States District Court for the Northern District of California, San Jose Division, complaint filed November 4, 2005).

DATED: 12/23/09

Ronald M. Whyte
THE HONORABLE RONALD M. WHYTE

1 Respectfully Submitted By,

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3 DATED: December 11, 2009

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CERTIFICATE OF SERVICE

I, Lee M. Gordon, hereby certify that on December 11, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ Lee M. Gordon
LEE M. GORDON